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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/713,684	11/14/2003	Amir Peles	RADW 20.043	2852
26304 7590 01/30/2007 KATTEN MUCHIN ROSENMAN LLP 575 MADISON AVENUE NEW YORK, NY 10022-2585			EXAMINER KLIMACH, PAULA W	
			ART UNIT 2135	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE			MAIL DATE	DELIVERY MODE
3 MONTHS			01/30/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/713,684

Applicant(s)

PELES, AMIR

Examiner

Paula W. Klimach

Art Unit

2135

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12/19/03.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 10-12 and 25-27 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The subject matter claimed in claims 10-12 is software that is not in one of the categories of invention that congress deems to be the appropriate subject matter of a patent.

Claim Rejections - 35 USC § 102

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-2, 5-14, 17-29, and 32-33 are rejected under 35 U.S.C. 102(e) as being anticipated by Stewart et al. (6,901,519).

In reference to claims 1, 10, 13, 20, 25, 28, and 33 Stewart discloses a network is protected from e-mail viruses through the use of a sacrificial server (Abstract). The client in Stewart sends an email message that corresponds to (column 3 lines 29-32) receiving a request from a client to a server (Gatekeeper). The Gatekeeper parses and identifies a file extension associated with said received request (column 3 lines 45-48). Stewart further discloses comparing said identified file extension with said pre-stored list of trusted file extensions

(column 3 lines 45-56); and forwarding the received request to an inspection gateway a upon not finding a successful match (column 3 line 57 to column 4 line 47).

In reference to claims 2 and 27 wherein upon finding a successful match in step (c) forwarding said received request to said server (Fig. 2 parts 207-208 and Fig. 2A part 218).

In reference to claims 5, 12, 14, 21, 26, and 29 a method further comprising the steps of: receiving a reply from said server (reply from sacrificial server; column 4 lines 63-67); parsing said reply to identify a content-type of an object contained in said reply (column 5 lines 12-15); comparing said identified content-type with said pre-stored list of trusted content-types (column 3 lines 46-56); and upon finding a successful match, forwarding said reply to said client (Fig. 1 part 106).

In reference to claim 6 wherein said request is a HTTP request (column 3 lines 34-36).

In reference to claims 7, 11, 17, and 22 wherein communication session between said client and said server is a TCP/IP session (column 3 lines 34-36).

In reference to claims 9, 19, and 24 wherein said security switch communicates with said server over a network, and said network is any of the following: local area network (LAN), wide area network (WAN), metropolitan area network (MAN), wireless network, cellular network, or the Internet (Figure 1).

In reference to claims 8, 18, and 23 wherein said object is any of the following: an image file, an audio file, a video file, an active server page file, a script file, or a markup language-based file (column 3 lines 35-45).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3-4, 15-16, 30-31, and 34-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stewart as applied in claims 1, 10, 13, 20, 25, 28, and 33 and further in view of Stallings (Network and Internetwork Security).

In reference to claims 3, 15, 30, and 34, Stewart does not expressly disclose steps (a) through (d) are performed upon verifying that said client is an authorized client.

Stallings discloses a method wherein said steps (a) through (d) are performed upon verifying that said client is an authorized client (page 90).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to verify that the client is an authorized client as in Stallings in the system of Stewart. One of ordinary skill in the art would have been motivated to do this because it would reduce replay and therefore masquerade by devices (Stallings page 91).

In reference to claims 4, 16, 31, and 35 Stewart does not expressly disclose steps (a) through (d) are performed upon verifying that said server is an authorized server.

Stallings discloses a method wherein said steps (a) through (d) are performed upon verifying that said server is an authorized server (page 90).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to verify that the client is an authorized client as in Stallings in the system of

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Stewart. One of ordinary skill in the art would have been motivated to do this because it would reduce replay and therefore masquerade by devices (Stallings page 91).

Conclusion

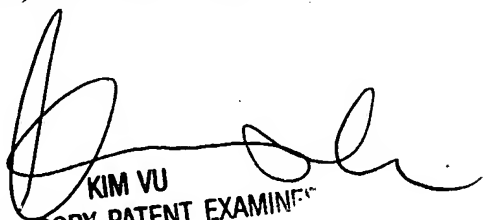
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paula W. Klimach whose telephone number is (571) 272-3854.

The examiner can normally be reached on Mon to Thr 9:30 a.m to 5:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on (571) 272-3859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

PWK
Tuesday, December 05, 2006


KIM VU
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